

Amendments to the Claims:Claim 1 (previously presented):

An isolated, nematicidal protein wherein a polynucleotide that encodes said protein maintains hybridization, at 1X SSC and 0.1% SDS at 68°C, with the full complement of SEQ ID NO:7.

Claim 2 (previously presented):

The protein of claim 1 wherein said protein is encoded by the nucleic acid sequence of SEQ ID NO:7.

Claims 3-25 (cancelled).Claim 26 (previously presented):

A method for controlling a nematode wherein said method comprises administering a nematicidal protein to said nematode so that said nematode ingests said protein, wherein a polynucleotide that encodes said protein maintains hybridization, at 1X SSC and 0.1% SDS at 68°C, with the full complement of SEQ ID NO:7.

Claim 27 (previously presented):

The method of claim 26 wherein said protein is encoded by the nucleic acid sequence of SEQ ID NO:7.

Claims 28-37 (cancelled).Claim 38 (new):

An isolated polynucleotide that encodes a nematicidal protein wherein a nucleic acid probe that codes for said protein maintains hybridization, at 1X SSC and 0.1% SDS at 68°C, with the full complement of SEQ ID NO:7.

Claim 39 (new):

A plant cell comprising a polynucleotide of claim 38.

Claim 40 (new):

A plant comprising the plant cell of claim 39.